

Legal Environment

Press freedom in Japan is constitutionally guaranteed and generally respected in practice. However, in December 2014, the restrictive Protection of Specially Designated Secrets Act went into effect amid opposition from international and local press freedom advocates as well as the Japanese public. Under the law, which had been passed in 2013, whistleblowers who leak vaguely defined “state secrets” can face up to 10 years in prison, while journalists who publish leaked information can face up to five years in prison. The law also grants ministers the power to designate certain information as state secrets for up to 60 years. In response to public criticism of the law after its passage, the Japanese government indicated that it would appoint an independent inspector to monitor implementation and handle disputes regarding classification. However, critics have questioned the independence of the inspector, who will be based in the administrative arm of the cabinet. Furthermore, the inspector will not have the authority to reject requests to restrict information, leaving final decisions to individual ministries. The position had yet to be filled at the year’s end.

Defamation can be prosecuted as either a civil or criminal offense and is punishable with fines reaching 500,000 yen (\$4,700) or imprisonment of up to three years. In early 2014, a Japanese nongovernmental organization filed a criminal contempt complaint against journalist and blogger Mari Takenouchi after she wrote about the group on Twitter, criticizing its efforts to encourage habitation of areas contaminated with radioactivity from the 2011 Fukushima nuclear disaster. Criminal proceedings were suspended later in the year, but advocacy groups continued to call for the case to be dropped.

Japan’s freedom of information law requires government agencies to respond to requests for information within 30 days. The law also mandates an independent review board, which in practice tends to support the appellant seeking information. However, media freedom advocates have expressed concern over the potential of the Protection of Specially Designated Secrets Act to interfere with information requests.

Political Environment

While Japan’s media are generally free to disseminate diverse views, journalists and media freedom advocates have criticized media outlets’ coverage of the 2011 meltdown of the Fukushima nuclear power plant as inadequate, and have voiced claims that reporters frequently parroted information about the disaster that had been issued by government bureaucracies or by the Tokyo Electric Power Company (TEPCO), which ran the Fukushima plant. The *kisha kurabu* (press clubs) system remains strong. The press clubs have long been at the center of concerns regarding the lack of diversity and independence in Japanese news media, as they foster cozy relationships with bureaucrats and politicians in which journalists are granted access in exchange for refraining from writing critical stories. Meanwhile, freelance and foreign journalists face routine discrimination, especially when reporting on issues related to Fukushima.

Journalists occasionally face direct government pressure. In November 2014, ahead of general elections, the governing Liberal Democratic Party (LDP) reportedly issued written instructions to mainstream television stations about how to best select news topics and interview subjects, and requested that the stations avoid “one-sided” coverage. One television station reportedly received a separate letter from the LDP containing a complaint that the outlet had misrepresented government policies by suggesting that they tended to disproportionately benefit the wealthy.

Although the Japanese government denies accusations of censorship, incidents were reported in which freelance journalists and bloggers were stopped from or faced repercussions for disseminating critical information regarding Fukushima. Violence against members of the press is rare, and no major incidents were reported in 2014.

Economic Environment

Japan has one of the highest print readerships in the world. More than half of the national newspaper market is controlled by three major papers: the *Yomiuri Shimbun*, the *Asahi Shimbun*, and the *Mainichi Shimbun*. There is considerable homogeneity in coverage due to the conservative nature of these newspapers. Television news content, once dominated by the public broadcaster NHK, has diversified considerably with the rising popularity of TV Asahi, Fuji TV, the Tokyo Broadcasting System, and satellite television. Japan also has a vibrant community radio sector. The government does not restrict the internet, which is a major source of news and information in Japan. Approximately 91 percent of the population had internet access in 2014.

The 2011 earthquake and nuclear disaster highlighted the influence of TEPCO on Japan's advertising industry, and the company's ties to both the government and major businesses remain strong. The company reportedly spends around \$192 million on advertising, a factor that some have linked to the media's conservative coverage of TEPCO's handling of the nuclear crisis. Moreover, many journalists have economic links to the nuclear industry. Reporters with the *Nikkei* and *Mainichi Shimbun* newspapers have reportedly gone on to work for pro-nuclear organizations and publications.